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EXTRAORDINARY

PART I—Section 1

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MINISTRY OF COMMERCE AND INDUSTRY

ORDER

IMPORT TRADE CONTROL

New Delhi, the 27th February 1958

No. 2/58.—In exercise of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendments in the Imports Control Order, 1955, namely:—

In the said Order—

1. Clause 3 shall be renumbered as sub-clause (1) thereof and after sub-clause (1) as so renumbered, the following sub-clause shall be inserted, namely:—

“(2) If in any case it is found that the goods imported under a licence do not conform to the description given in the licence under which they are claimed to have been imported, then, without prejudice to any action that may be taken against the licensee under the Sea Customs Act, 1878 (8 of 1878), in respect of the said importation, the licence may be treated as having been utilised for importing the said goods.”

2. In clause 6, after sub-clause (h), the following sub-clauses shall be inserted, namely:—

“(i) If the applicant is a partner in a partnership firm, or a director of a private limited company, which is for the time being subject to any action under clause 8;

(j) If the applicant is a partnership firm or a private limited company, any partner or director whereof, as the case may be, is for the time being subject to any action under clause 8.

3. In clause 9, after the words “the Central Government” the words “or the Chief Controller of Imports and Exports” shall be inserted.

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 27th February 1958

SUBJECT:—Import of cars, Jeeps & Station Wagons by Tourists coming from abroad under the ‘Triptyque’/Carnet de-passage—Abuse of the concession.

No. 18-ITC(PN)/58.—Attention is invited to saving (k) of para 11 of the Imports (Control) Order, 1955 issued vide Ministry of Commerce & Industry Import Trade Control Order No. 17/55 dated 7-12-55, whereby the import of any goods which are exempt from Customs duty under items Nos. 53-65 of Notification No. 33-Cus., dated 22-6-35 of the Government of India in the late Department of Finance (D.R.) were exempt from I.T.C. restrictions.

2. Saving (k) of para 11 of the Imports (Control) Order, 1955 has since been amended *vide* Ministry of Commerce & Industry, I.T.C. Order No. 5/56 dated 11-2-56, and item 54 of Notification No. 33-Cus dated 22-6-55 of the Government of India in the late Department of Finance (D.R.) under which cars imported by tourists under the 'Triptyque system' are exempt from duty has been excluded from the purview of the said saving. As a result of this amendment, a licence would be required for the import of cars sought to be imported by the tourists under the 'Triptyque'.

3. The procedure for grant of Custom Clearance permits to tourists who seek to bring in cars under the 'Triptyque' has been simplified and they can secure Custom Clearance Permits in advance by making applications through the Western India Automobile Association, duly accompanied with an undertaking on plain paper by the tourist to the effect that he will not sell the car or give part possession of the car, in India and will re-export it within the period stipulated in the 'Triptyque' or 'Carnet De Passage'. No Treasury receipt on account of licence fee and I.V.C./Exemption number will be required.

4. The Custom Clearance Permits issued in the name of the tourist for the import of the car will be endorsed with the condition that the tourist cannot sell the car or give part possession of the car, in India and will have to re-export it within the period stipulated in the 'Triptyque' or 'Carnet De Passage'. The Custom Clearance Permit will be handed over if so desired, to the Western India Automobile Association for delivery to the tourist so that he could present it before the Customs without any difficulty.

5. It is hereby notified for the information of the tourists that violation of the condition imposed on the Custom Clearance Permit will entail penal action under the Imports and Exports (Control) Act, 1947 and the cars registered in their names will not be allowed to be transferred to other parties in India.

S. N. BILGRAMI, Jt. Secy.